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February 14, 2025

VIA ECF

Honorable Lorna G. Schofield
Thurgood Marshall
United States Courthouse
Southern District of New York
40 Foley Square
New York, New York 10007

Re: Mazzaccone v. The Bolivarian Republic of Venezuela
Civil Case No. 24-cv-09114-LGS

Dear Judge Schofield:

We represent Plaintiff in the above-captioned matter. We write pursuant to Your Honor's January 16, 2025 Order directing Plaintiff to file a status letter regarding the status of service of the summons and complaint in this action upon the defendant, The Bolivarian Republic of Venezuela ("the Republic") (D.E. 7.)

As a reminder, Plaintiff filed the complaint in this action on November 27, 2024 against the Republic, a foreign sovereign who can only be served pursuant to the methods set forth in 28 U.S.C. § 1608(a). As explained in Plaintiff's January 15, 2025 letter, the only viable statutory method of service on the Republic is through diplomatic channels through the United States Department of State, pursuant to Section 1608(a)(4) of the FSIA. (D.E. 6.) On February 10, 2025, the Clerk of the Court for the Southern District of New York transmitted service materials to the State Department pursuant to the Clerk's Office Foreign Mailing Instructions regarding Procedures for Service Pursuant to 28 U.S.C. § 1608(a)(4). (D.E. 8.)

We have been in touch with employees of the State Department's Office of the Legal Advisor who are responsible for administering service through diplomatic channels. Our point of contact has confirmed that the State Department has received the necessary papers to effect

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service pursuant to Section 1608(a)(4). Although we have not been provided with an estimated date of service, our point of contact has informed us that “it is being processed.” Based on these communications and our prior experience serving the Republic through diplomatic channels, we are hopeful that service can be effected in advance of the April 28, 2025 deadline for service. We will of course apprise the Court of any material developments regarding service of process in the meantime.

We thank the Court for its consideration and would be happy to answer any questions regarding the foregoing.

Respectfully submitted,

By: 
Anthony J. Costantini

AJC